

### **REMARKS**

This paper is presented in response to the Office Action. By this paper, claims 1, 7, 13, 22, and 25 are amended. Claims 1-32 remain pending.

Reconsideration of the application is respectfully requested in view of the aforementioned amendments and the following remarks. For the Examiner's convenience and reference, Applicant's remarks are presented in the order in which the corresponding issues were raised in the Office Action.

#### **I. General Considerations**

Applicant notes that the remarks, or a lack of remarks, and amendments presented herein are not intended to constitute, and should not be construed as, an acquiescence, on the part of the Applicant: as to the purported teachings or prior art status of any cited references; or as to any other assertions, allegations or characterizations made by the Examiner at any time in this case.

#### **II. Oath/Declaration**

The Examiner has objected to the declaration asserting that such declaration "... does not identify the city and either state or foreign country of residence of each inventor." Applicants respectfully traverse this objection. Particularly, the declaration originally filed with the application on February 27, 2004 included an Inventor Information sheet which identified the city and state of residence of each inventor. Accordingly, Applicant believes that the declaration originally filed with the application does, in fact, comply with 37 C.F.R. § 1.67(a). In connection with the foregoing, Applicants have submitted herewith a true and correct copy of the original Declaration with Inventor Information sheet (including the city and state of residence of each inventor), as well as a true and correct copy of the post card returned by the U.S. PTO clearly listing that a Declaration with Inventor Information comprising 3 pages was received by the U.S. PTO.

In light of the foregoing, Applicant respectfully submits that the objection to the declaration should be withdrawn.

#### **III. Objection to Claims 1-32**

The Examiner has objected to claims 1-32, asserting that the terms "LSOA" and "VLSOA" should be defined in the claims to avoid ambiguity. Applicant disagrees that such terms, considered in light of the specification, are ambiguous. See, e.g., paragraphs [0007] and [0015] of the specification. Rather, the meaning of those claims would be readily apparent to one of skill in the art, having the benefit of the disclosure of this application. Nonetheless, Applicant has amended claims 1, 7, 13, 22, and 25 to

advance allowance of this case. Applicant submits that in light of the aforementioned amendments, the objection has been overcome and should be withdrawn.

Applicant notes further that inasmuch as claims 1, 7, 13, 22, and 25 would be in allowable condition in their *unamended* form, for at least the reason set forth above, the amendment herein of those claims is not related to patentability.

#### **IV. Allowed Subject Matter**

Applicant acknowledges with thanks the indications of the Examiner that claims 1-32 are allowable, subject to the claims objection discussed above, and Applicant also wishes to thank the Examiner for the careful review of those claims.

Applicant submits the following comments concerning the Examiner's statements of reasons for the indication of allowable subject matter in the Office Action. In general, Applicant agrees with the Examiner that the inventions to which claims 1-32 are respectively directed are patentable over the cited references, but respectfully disagrees with the Examiner's statements of reasons for allowance as set forth in the Office Action.

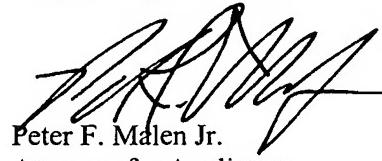
Particularly, Applicant submits that it is improper to characterize a single limitation, or subset of limitations, as constituting the basis for allowance of a claim. Rather, the patentability of a claim is properly determined with reference to the claim as a whole. Accordingly, Applicant does not concede that the reasons for allowable subject matter given by the Examiner are the only reasons that make, or would make, claims 1-32 allowable and Applicant does not make any admission or concession concerning the Examiner's statements in the Office Action concerning the allowability of claims 1-32 in view of the cited references.

CONCLUSION

In view of the remarks submitted herein, Applicant respectfully submits that each of the pending claims 1-32 now pending in this application is in condition for allowance. Therefore, reconsideration of the objection is requested and allowance of those claims is respectfully solicited. In the event that the Examiner finds any remaining impediment to a prompt allowance of this application that could be clarified in a telephonic interview, the Examiner is respectfully requested to initiate the same with the undersigned attorney.

Dated this 12<sup>th</sup> day of April, 2006.

Respectfully submitted,



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